

AUG 08 2006

DOUGHERTY CLEMENTS**FAX Transmission**Tel: 704/366-6642
Fax: 704/366-9744

Date: August 8, 2006
To: Examiner Kenneth R. Coulter
FAX No.: (571) 273-8300
From: Christopher L. Bernard
No. of Pages: (16) (including cover page)
Re: Amendment and Response to Non-Final Office Action - Supplemental
Our Ref. No.: Attorney Docket No. 10.0815

CONFIDENTIAL AND PRIVILEGED

The information contained in this facsimile is privileged and confidential information intended for the sole use of the addressee. If the reader of this facsimile is not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received the facsimile in error, please immediately notify the sender listed above, and return the original message to the sender at the address listed below.

Examiner Coulter,

As previously discussed, attached please find AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION – SUPPLEMENTAL related to the above-referenced application. If you have any question, please give me a call.

Respectfully,



Christopher L. Bernard

CLB/bcb

Attachment: Amendment and Response to Non-Final Office Action-Supplemental

AUG 08 2006

EXPRESS MAIL CERTIFICATE

Express Mail No.: EV 907434902 US
Date of Deposit: August 8, 2006
Type of Document(s): Transmittal Form (PTO/SB/21)
Amendment and Response to Non-Final Office Action –
Supplemental (14 pages)
Postcard Filing Receipt
Application No.: 09/838,320
Filing Date: April 19, 2001
Applicant(s): Peter B. EVERDELL et al.
Title: NETWORK DEVICE INCLUDING DEDICATED
RESOURCES CONTROL PLANE
Examiner: Kenneth R. Coulter
Art Unit: 2141
Attorney Docket No.: 10.0815

I hereby certify that the above-referenced documents are being/have been deposited with the United States Postal Service "Express Mail Post Office to Addressee" in accordance with 37 CFR 1.10 on the above-referenced date and are being/have been addressed to:
**Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria,
Virginia 22313-1450 USA.**

Barbara C. Brown
Barbara C. Brown
North Carolina State Bar/Certified Paralegal

AUG 08 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0551-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(To be used for all correspondence after initial filing)

	Application Number	09/838,320	
	Filing Date	April 19, 2001	
	First Named Inventor	Peter B. EVERDELL, et al.	
	Art Unit	2141	
	Examiner Name	Kenneth R. Coulter	
Total Number of Pages in This Submission	16	Attorney Docket Number	10.0815

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Supplemental - Amendment/Reply (14 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement		<input type="checkbox"/> Remarks
<input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Express Mail Certificate

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	DOUGHERTY CLEMENTS		
Signature			
Printed name	Christopher L. Bernard		
Date	August 8, 2006	Reg. No.	48,234

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	Barbara C. Brown		
Typed or printed name	Barbara C. Brown	Date	August 8, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

AUG-08-2006(TUE) 16:48

RECEIVED
CENTRAL FAX CENTER

P. 004/017

Attorney Docket No.: 10.0815

AUG 08 2006

Express Mail No.: EV 907434902 US
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)) Peter B. EVERDELL et al.
Application No.) 09/838,320
Filing Date) April 19, 2001
Title) NETWORK DEVICE INCLUDING DEDICATED RESOURCES CONTROL PLANE
Examiner) Kenneth R. Coulter
Art Unit) 2141

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450 USA

**AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION –
SUPPLEMENTAL**

Dear Sir/Madam:

In response to the non-final Office Action mailed June 2, 2006, allowing Claims 1-14, 16-20, 22-28, 30, and 32-35 of the above-referenced Application, in which Claims 1-14, 16-20, 22-28, 30, and 32-35 are pending, Applicants respectfully request that the following amendments be entered and remarks be considered. In view of these amendments and remarks, Applicants submit that the Application is now in condition for allowance, specifically with regard to outstanding formal matters, and respectfully request such action.